

Case No. **P00,1820**

My residence, post office address and citizenship are as stated below next to my name,

_____, the specification of which

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"METHOD OF PROVIDING MAINTENANCE SERVICES"

| (check one) | Applicati | on March 16, 2001 on Serial No. 09/810,351 amended on | |
|--|--|---|--|
| | | nd understand the contents of ndment referred to above. | the above identified specification, |
| | | | ice all information which is known to make 37, Code of Federal Regulations, |
| perfore my or our invention our invention thereof or report the United States of Arguern patented or made the country foreign to the United than twelve months | on thereof, or patente more than one year p merica more than on the subject of an inver- nited States of America prior to this application any country foreig | ed or described in any printed prior to this application, that the year prior to this application ator's certificate issued before ica on an application filed by attion, and that no application to the United States of America | or used in the United States of America publication in any country before my or the same was not in public use or on sale in, and I believe that the invention has not the date of this application in any me or my legal representatives or assigns for patent or inventor's certificate on this erica prior to this application by me or |
| I hereby claim for patent of Prior Foreign A | or inventor's certifica | | tes Code, 119 of any foreign |
| Number | Country | Date | |
| and have also identified t hat of the above listed ap Prior Foreign A Number | pplication on which | - | or's certificate having a filing date before |
| veing made of record in the ap (1) It establishes, b (2) It refutes, or is | oplication, and by itself or in combination inconsistent with, a posit | | umulative to information already of record or vie case of unpatentability of a claim; or |

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable

under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a

(ii) Asserting an argument of patentability.

contrary conclusion of patentability.

If no priority is claimed, I have identified all foreign patent applications filed prior to this application: Prior Foreign Application(s)

Number

Country

Date

And I hereby appoint Messrs. John D. Simpson (Registration No. 19,842), Steven H. Noll (28,982), Brett A. Valiquet (27,841), James D. Hobart (24,149), Melvin A. Robinson (31,870) Mark Bergner (45,877) and all members of the firm of Schiff Hardin & Waite

Telephone: 312/258-5785 Ext. Melvin A. Robinson
my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to:

Schiff Hardin & Waite Patent Department 6600 Sears Tower, Chicago, Illinois 60606

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| validity of the application or any p | patent issued thereon. | | |
|--------------------------------------|-----------------------------|-------|-----------|
| Full name of sole or first inventor, | | | |
| - | Mario Cosmas SPIRA | | |
| | | | 0,00 |
| Inventor's signature | | Date_ | 21.8.01 |
| Residence | Erlangen, Germany | | |
| Citizenship | | | |
| Post Office Address | | | |
| | 91052 Erlangen, GERMANY | | |
| | | | |
| Full name of second joint inventor | · , | | |
| (if any) | Erjeh NIEDERMAYR | | |
| G | ifliedlands | | 2 -0 0 |
| Inventor's signature | The reaction of D | Date_ | 7,09,2001 |
| Residence | Vaterstetten, Austria | | |
| Citizenship | Austria | | |
| Post Office Address | Luitpoldring 38 | | |
| | 85591 Vaterstetten, Austria | | |
| " | | | |
| | | | |
| Full name of third joint inventor, | _ | | |
| (if any) | Günter MENDEN | | |
| | 1 /- A 10. | | 10100101 |
| Inventor's signature | how / Cluber | Date_ | 12/03/01 |
| Residence | Aeroldsbach, Germany | | |
| Citizenship | German | | ···· |
| Post Office Address | Kiefernweg 5 | | |
| | 91336 Heroldsbach, GERMANY | | |

| Full name of fourth joint invent | or, | | |
|-----------------------------------|--|----------|---------------------------------------|
| (if any) | | | |
| Inventor's signature | Uc. When Wall | _ | 1 11 2000 |
| | Willo Pallelline; Volg | _Date | 1.11.2001 |
| Residence | | <u> </u> | |
| Citizenship | German /U | | |
| Post Office Address | Birmensdorferstr. 30 | 100.1 | |
| | 8953 Dietikon, GERMANY Sw. 124 | 1/188 | 112001 |
| | Willevie - h | off. | [1.00] |
| Full name of fifth joint inventor | | | |
| (if any) | | | |
| • • • | | | 21 0 0 |
| Inventor's signature Sec | mhad Somme | _Date_ | 24.08.2001 |
| Residence | | | |
| Citizenship | Austria | | · · · · · · · · · · · · · · · · · · · |
| Post Office Address | Gerspergasse 11 | | · |
| | 1210 Wien, Austria | | |
| | | | |
| | | | |
| Full name of sixth joint inventor | | | |
| (if any) | Perry Michael CAVANAGH | | |
| · | | Data | |
| Inventor's signature | | | |
| Residence | Calgary, Alberta Canada | | |
| Citizenship | | | <u>.</u> |
| Post Office Address | Calgary, T1Y5G4 Alberta CANADA | | |
| - | Calgary, 111304 Alberta CANADA | | |
| | | | |
| Full name of seventh joint inver | ntor | | |
| | Kimberley James PFEIFER | | |
| () | | | |
| Inventor's signature | | _Date_ | |
| Residence | | | |
| Citizenship | | | |
| Post Office Address | | | |
| <u></u> | Calgary, T3B5C1 Alberta CANADA | | |
| | | | |
| | | | |
| Full name of eighth joint invent | | | |
| (if any) | David Lesley WILLIAMS | | |
| Instantanta di mat | | Deta | |
| Inventor's signature | Don't Convisions Delaist Columbia Consti | Date | |
| Residence | Port Coquitlam, British Columbia Canada | | |
| Citizenship Post Office Address | 1831 Morgan Avenue | | |
| rusi Office Address | Port Cognitlam V3CLI8 British Columbia | CANIAI | |
| | | | |

| Full name of ninth | joint invent | or, | | |
|----------------------------------|----------------------------|-------------------------|------|---------------|
| | (if any) | | | |
| Inventorie signatus | | | Date | |
| Inventor's signatur Residence | | | | |
| Citizenship | | | | |
| Post Office Addre | | | | |
| rost Office Addre | | Swanee, GA 30024 | | |
| Full name of tenth | i joint invent | | | |
| • | (if any) | Giuseppe ZANCOLICH | | |
| Inventor's signatur | re | | Date | |
| | | | | |
| Olater a seletion | | Avetalion | | |
| Post Office Addre | • | | | |
| | | Alpharetta, GA 30005 | | |
| n.u. 6.1 | | | | |
| Full name of eleve | entn joint inv (if any) | Krzysztof GOLY | | |
| | ` • • | | | |
| Inventor's signatur | re | | Date | |
| Residence | | Alpharetta, Georgia | | <u> </u> |
| Citizenship | | Australian | | |
| Post Office Addre | ss | 49038 Gardener Drive | | |
| | | Alpharetta GA 30004 | | |
| | | | | |
| Full name of twelf | fth joint inve | entor, | | |
| ı | (if any) | Jürgen STÜBIGER | | |
| Inventor's signatur | re | Jaim Hilia | Date | 3/10/2001 |
| Residence | | / Erlangen, Germany | | |
| | | | | · |
| Post Office Addre | ss | | | |
| | | 91056 Erlangen, Germany | | |

.

| Full name of thirteenth joint i | nventor, | | |
|--|----------------------------|------|------------|
| (if any) | Jörg TAUTRIM | | |
| Inventor's signatureResidence | Begkingen, Germany | Date | 28.10.2001 |
| Citizenship | German | | |
| Post Office Address | Vor den Mühlen, 19 | | |
| | D-66701 Beckingen, Germany | | |
| Full name of fourteenth joint (if any) | inventor, Michael TAYLOR | | |
| (·)/ | | | |
| Inventor's signature | | Date | |
| Residence | Dorchester, Ontario Canada | | |
| Citizenship | Canada | | <u></u> |
| Post Office Address | P.O. 18 Dorchester | | |
| | NOL 1G0 Ontario Canada | | |

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| • | check one) | X wa | attached hereto. Is filed on <u>March 1</u> Is pplication Serial No Id was amended on In pplicable) | 09/810,351 | _, as | <u>.</u> |
| I including t | hereby state that the claims as ar | at I have revie nended by an | ewed and understand t y amendment referred | ne contents of the to above. | above identific | ed specification, |
| I to be mater 1.56.1 | acknowledge the | ne duty to disc ntability of thi | close to the United States application in accord | tes Patent Office lance with Title 3 | all information 7, Code of Fed | which is known to me eral Regulations, |
| our inventi in the Unit been paten country for more than invention h | or our invention thereof or ned States of Arted or made the reign to the Unitwelve months has been filed in | on thereof, or properties than one the merica more the subject of artitled States of prior to this an any country | eve this invention was patented or described a year prior to this appl han one year prior to the inventor's certificate America on an application, and that not foreign to the United tept as identified below. | in any printed publication, that the same is application, an issued before the ation filed by me of application for paper of America | olication in any arme was not in and I believe that date of this apport my legal reprostent or invented. | country before my or public use or on sale t the invention has not plication in any resentatives or assigns or's certificate on this |
| application | nereby claim fo (s) for patent o ior Foreign Ap | r inventor's ce | benefits under Title 3 ertificate listed below | 5, United States (| Code, 119 of a | ny foreign |
| | umber | Country | | Date | | |
| hat of the a | above listed app ior Foreign App | plication on w | ign application for pat which priority is claime Date | ent or inventor's o | certificate havir | ng a filing date before |
| eing made of | (b) Under this section record in the appl | ion, information | is material to patentability | vhen it is not cumulat | tive to information | already of record or |

(ii) Asserting an argument of patentability.

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⁽²⁾ It refutes, or is inconsistent with, a position the applicant takes in:

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Patent Department
6600 Sears Tower, Chicago, Illinois 60606

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| Full name of sole | or first inver | itor, | | |
|----------------------------------|----------------|-----------------------------|------|---|
| | (if any) | Mario Cosmas SPIRA | | |
| Inventor's signatu | re | | Date | |
| Residence | | Erlangen, Germany | | |
| | | Germany | | |
| Post Office Addre | ess | Christian Empt Str. 41 | | |
| | | 91052 Erlangen, GERMANY | | |
| | | | | |
| Full name of seco | | | | |
| | (if any) | Erich NIEDERMAYR | | |
| Incontodo sismato | | | D-4- | |
| Inventor's signatur Residence | ге | 37-AA-AA | | |
| | | | | |
| | | Austria | | |
| Post Office Addre | ess | | | |
| | | 85591 Vaterstetten, Austria | | |
| | | | | |
| Full name of third | | | | |
| | (if any) | Günter MENDEN | | |
| Inventor's signatu | re | | Date | • |
| ~ · · | ` | | | |
| A | | _ | | |
| | | Vioformuna 5 | | |
| | | 91336 Heroldsbach, GERMANY | | |
| | | | | |



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|---|---|
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| Full name of fourth joint inventor, | | |
|-------------------------------------|--|-------------|
| (if any) | Hans KLEMME-WOLFF | |
| Inventor's signature | | Date |
| Residence | Dietikon, Germany | |
| Citizenship | German | |
| Post Office Address | | |
| | 8953 Dietikon, GERMANY | |
| | | |
| Full name of fifth joint inventor, | | |
| (if any) | Bernhard SOMMER | |
| Inventor's signature | | Date |
| Residence | Wien, Austria | |
| Citizenship | Austria | |
| Post Office Address | | |
| | 1210 Wien, Austria | |
| | | |
| Full name of sixth joint inventor, | | |
| (if any) | Perry Michael CAVANAGH | |
| Inventor's signature | | _Date |
| Residence | Calgary, Alberta Canada | |
| Citizenship | | |
| Post Office Address | 16 Templeby Crescent NE | |
| | Calgary, T1Y5G4 Alberta CANADA | |
| | | |
| Full name of seventh joint invento | | |
| (if any) | Kimberley James PFEIFER | |
| Inventor's signature | | Date |
| Residence | Calgary, Alberta Canada | |
| Citizenship | Canada | |
| Post Office Address | 317 Point McKay Gardens, NW | |
| | Calgary, T3B5C1 Alberta CANADA | |
| | | |
| Full name of eighth joint inventor, | | |
| (if any) | David Lesley WILLIAMS | |
| Inventor's signature | | _Date |
| Residence | Port Coquitlam, British Columbia Canada | |
| Citizenship | _ | |
| Post Office Address | 1831 Morgan Avenue | |
| | Port Coquitlam, V3C1J8, British Columbia | CANADA |

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Full name of ninth joint inventor, (if any)_ Michael WILCOX Inventor's signature_ Date 07-20-01 Residence Swanee, Georgia Citizenship US Post Office Address_ 3928 Windgrove Crossing Swanee, GA 30024 Full name of tenth joint inventor, (if any)___ Giuseppe ZANCOLICH Inventor's signature_ Date Residence Alpharetta, Georgia Citizenship Australian Post Office Address_ 11-205 Amli At Masters Road Alpharetta, GA 30005 Full name of eleventh joint inventor, (if any)___ Krzysztof GOLY Inventor's signature_ Date Residence Alpharetta, Georgia Citizenship Australian Post Office Address 49038 Gardener Drive Alpharetta GA 30004 Full name of twelfth joint inventor, (if any)____ Jürgen STÜBIGER Inventor's signature_ _Date__

Erlangen, Germany

Peter-Vischer-Str. 6 91056 Erlangen, Germany

German

Residence Citizenship

Post Office Address_





| F | 5111 | name | οf | thirteenth | ioint | inventor |
|---|------|------|-----|------------|-------|----------|
| 1 | ·un | панс | UI. | umteenur | тоші | шусшот. |

| (if any) | Jörg TAUTRIM | | _ |
|--|--|------|---|
| Inventor's signature | | Date | |
| Residence | Beckingen, Germany | | |
| Citizenship | German | | |
| Post Office Address | Vor den Mühlen, 19 | | |
| | D-66701 Beckingen, Germany | | |
| Full name of fourteenth joir | t inventor | | |
| (if any) | nt inventor, Michael TAYLOR | | |
| · • • • • • • • • • • • • • • • • • • • | | Date | |
| (if any) Inventor's signature Residence | | Date | |
| Inventor's signatureResidence | Michael TAYLOR | Date | |
| Inventor's signature | Michael TAYLOR Dorchester, Ontario Canada | Date | |

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| application | n(s) for patent of | or inventor's cer | penefits under Title tificate listed below | | s Code, 119 of any foreign |
| | rior Foreign A _l umber | pplication(s) Country | | Date | |
| that of the | | oplication on wh | gn application for phich priority is claim Date | | 's certificate having a filing date before |
| 1 | | ction, information is | s material to patentabili | | ulative to information already of record or |

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Full name of sole or first inventor, Mario Cosmas SPIRA (if any) _____Date______ Inventor's signature_____ Erlangen, Germany Residence Germany Citizenship Christian-Ernst Str. 41 Post Office Address_ 91052 Erlangen, GERMANY Full name of second joint inventor, Erich NIEDERMAYR (if any)_____ _____Date____ Inventor's signature Vaterstetten, Austria Residence Austria___ Citizenship Luitpoldring 38 Post Office Address 85591 Vaterstetten, Austria Full name of third joint inventor, Günter MENDEN (if any)_____ Date ______ Inventor's signature__ Heroldsbach, Germany Residence German Citizenship Post Office Address Kiefernweg 5 91336 Heroldsbach, GERMANY



Citizenship

Post Office Address



Full name of fourth joint inventor, (if any)_____ Hans KLEMME-WOLFF Date ____ Inventor's signature_ Dietikon, Germany Residence Citizenship German Birmensdorferstr. 30 Post Office Address_ 8953 Dietikon, GERMANY Full name of fifth joint inventor, (if any)_____ Bernhard SOMMER Date _____ Inventor's signature_ Wien, Austria Residence Citizenship Austria Post Office Address_ Gerspergasse 11 1210 Wien, Austria Full name of sixth joint inventor, (if any)_____ Perry Michael CAVANAGH Date Inventor's signature_ Calgary, Alberta Canada Residence Citizenship Canada Post Office Address____ 16 Templeby Crescent NE Calgary, T1Y5G4 Alberta CANADA Full name of seventh joint inventor, Kimberley James PFEIFER (if any)_____ Date_____ Inventor's signature___ Calgary, Alberta Canada Residence Canada_ Citizenship 317 Point McKay Gardens, NW Post Office Address Calgary, T3B5C1 Alberta CANADA Full name of eighth joint inventor, David Lesley WILLIAMS (if any)____ Inventor's signature_ Port Coquitlam, British Columbia Canada Residence

1831 Morgan Avenue

Port Coquitlam, V3C1J8, British Columbia CANADA



Inventor's signature_

Post Office Address_

Residence

Citizenship

.

Date____

Full name of ninth joint inventor, (if any)____ Michael WILCOX Inventor's signature_ Date Swanee, Georgia Residence US Citizenship 3928 Windgrove Crossing Post Office Address_ Swanee, GA 30024 Full name of tenth joint inventor, Giuseppe ZANCOLICH (if any)_ Date 07-29-01 Inventor's signature Alpharetta, Georgia Residence Citizenship Australian 11-205 Amli At Masters Road Post Office Address_ Alpharetta, GA 30005 Full name of eleventh joint inventor, Krzysztof GOLY (if any)_____ Inventor's signature Date____ Alpharetta, Georgia Residence Citizenship Australian 49038 Gardener Drive Post Office Address_ Alpharetta GA 30004 Full name of twelfth joint inventor, Jürgen STÜBIGER (if any)____

Erlangen, Germany

Peter-Vischer-Str. 6

91056 Erlangen, Germany

German



| Full name of thirt | eenth joint in | iventor, | | |
|----------------------|----------------|----------------------------|------|--|
| | | Jörg TAUTRIM | | |
| Instantanta ai amatu | | | Date | |
| Inventor's signatu | пе | Darlaina and Commons | | |
| Residence | | Beckingen, Germany | | |
| Citizenship | | German | | |
| Post Office Address | ess | Vor den Mühlen, 19 | | |
| | | D-66701 Beckingen, Germany | | |
| Full name of four | | nventor, Michael TAYLOR | | |
| | ` | | | |
| Inventor's signatu | ıre | | Date | |
| Residence | | Dorchester, Ontario Canada | | |
| Citizenship | | Canada | | |
| Post Office Addr | ess | P.O. 18 Dorchester | | |
| | | NOL 1G0 Ontario, Canada | | |
| | | | | |

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| our inven in the Un- been pate country for more than invention | tion thereof or nated States of Aranted or made the oreign to the Unital twelve months has been filed in | nore than one ye nerica more than e subject of an in ited States of An prior to this app n any country fo | ear prior to this ap in one year prior to inventor's certifica merica on an appl blication, and that | plication, that this application the issued before ication filed by no application of States of An | the same was no on, and I believe the the date of thi y me or my legal for patent or in | any country before my or of in public use or on sale that the invention has no is application in any representatives or assign- ventor's certificate on this his application by me or |
| applicatio | | r inventor's cert | enefits under Title ificate listed belo | | rates Code, 119 | of any foreign |
| | Number | Country | | Date | | |
| that of the | | plication on wh | n application for pich priority is clai | | itor's certificate l | having a filing date before |
| l being made | (b) Under this second in the ann | | material to patentabili | ty when it is not o | cumulative to inform | nation already of record or |

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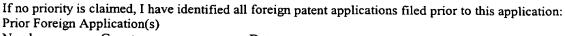
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Date

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Telephone: 312/258-5785 Ext. <u>Melvin A. Robinson</u>
my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to:

Schiff Hardin & Waite Patent Department 6600 Sears Tower, Chicago, Illinois 60606

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| Full name of sole | or first invent | or, | | |
|--------------------|------------------|-----------------------------|------|--|
| | | Mario Cosmas SPIRA | | |
| Inventor's signati | ıre | | Date | |
| Residence | | | | |
| Citizenship | | | | |
| Post Office Addr | | | | |
| | | 91052 Erlangen, GERMANY | | |
| | | | | |
| Full name of seco | ond joint inven | tor. | | |
| | | Erich NIEDERMAYR | | |
| | ` •/ | | | |
| Inventor's signati | ıre | | Date | |
| Residence | | Vaterstetten, Austria | | |
| Citizenship | | | | |
| Citizenship | ess | Tuitnaldrina 20 | | |
| | | 85591 Vaterstetten, Austria | | |
| | | | | |
| Full name of thir | d ioint inventor | | | |
| Tun name of time | | Günter MENDEN | | |
| | (11 uny) | Gamer MEMBER | | |
| Inventor's signati | ıre | | Date | |
| Residence | | Heroldsbach, Germany | | |
| Citizenship | | | | |
| Post Office Addr | | | | |
| | | 91336 Heroldsbach, GERMANY | | |
| | | | | |

Full name of fourth joint inventor, (if any)____ Hans KLEMME-WOLFF Date Inventor's signature____ Dietikon, Germany Residence Citizenship German Birmensdorferstr. 30 Post Office Address_ 8953 Dietikon, GERMANY Full name of fifth joint inventor, Bernhard SOMMER (if any)_____ Date____ Inventor's signature Wien, Austria Residence Citizenship Austria Gerspergasse 11 Post Office Address_ 1210 Wien, Austria Full name of sixth joint inventor, Perry Michael CAVANAGH (if any)_____ ___Date___ Inventor's signature___ Calgary, Alberta Canada Residence Canada Citizenship Post Office Address_ 16 Templeby Crescent NE Calgary, T1Y5G4 Alberta CANADA Full name of seventh joint inventor, Kimberley James PFEIFER (if any) Date 07/23/01 Inventor's signature Calgary, Alberta Canada Residence Canada Citizenship 317 Point McKay Gardens, NW Post Office Address Calgary, T3B5C1 Alberta CANADA Full name of eighth joint inventor, David Lesley WILLIAMS (if any)_____ Inventor's signature_ Port Coquitlam, British Columbia Canada Residence Citizenship Post Office Address_ 1831 Morgan Avenue Port Coquitlam, V3C1J8, British Columbia CANADA

| Full name of nin | th joint invent | or, | | |
|--------------------|-----------------|-----------------------------|------|-----|
| | (if any) | Michael WILCOX | | |
| Inventor's signat | ure | | Data | |
| Residence | urc | Swanee, Georgia | Date | |
| Citizenship | | TIC | | |
| | ress | 3928 Windgrove Crossing | | |
| | | Swanee, GA 30024 | | |
| Full name of ten | | | | |
| | (if any) | Giuseppe ZANCOLICH | | |
| Inventor's signat | ure | | Date | |
| Residence | | Alpharetta, Georgia | Bate | |
| Citizenship | | Augtualian | | |
| Post Office Addi | ess | 11-205 Amli At Masters Road | | |
| | | Alpharetta, GA 30005 | | |
| Full name of elev | enth ioint inv | entor. | | |
| | | Krzysztof GOLY | | ··· |
| Inventor's signati | ıre | | Date | |
| Residence | | Alpharetta, Georgia | Datc | |
| Citizenship | | Auctrolian | | |
| Post Office Addr | ess | 49038 Gardener Drive | | |
| | | Alpharetta GA 30004 | | |
| | | | | |
| Full name of twe | lfth joint inve | ntor, | , | |
| | (if any) | Jürgen STÜBIGER | | |
| Inventor's signatu | ıre | | Date | |
| Residence | | Erlangen, Germany | | |
| Citizenship | | German | | |
| | ess | | | |
| | | 91056 Erlangen, Germany | | |
| | | | | |

| Full name of thirteen | th joint in | ventor, | | |
|-----------------------|-------------|----------------------------|------|--|
| (if | any) | Jörg TAUTRIM | | |
| Inventor's signature_ | | | Date | |
| Residence | | Beckingen, Germany | | |
| Citizenship | | German | | |
| Post Office Address | | Vor den Mühlen, 19 | | |
| • | | D-66701 Beckingen, Germany | | |
| Full name of fourteer | | nventor, Michael TAYLOR | | |
| , | • - | | | |
| Inventor's signature_ | | | Date | |
| Residence | | Dorchester, Ontario Canada | | |
| Citizenship | | Canada | | |
| Post Office Address | | P.O. 18 Dorchester | | |
| | | F.O. 18 Dolchester | | |

O



DECLARATION AND POWER OF ATTORNEY

CANELLOW named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"METHOD OF PROVIDING MAINTENANCE SERVICES"

| Case No. | P00,1820 | | , the specification of | which | | |
|---|---|--|--|---|---|---|
| | (check one) | X wa | attached hereto. as filed on <u>March 16,</u> pplication Serial No d was amended on pplicable) | 09/810,351 | | |
| | | | ewed and understand the ny amendment referred to | | above identified | I specification, |
| | | | sclose to the United State is application in accorda | | | |
| before my our inven in the Uni been pate country fo more than invention | y or our invention tion thereof or m ited States of An nted or made the oreign to the Unit twelve months in has been filed in | n thereof, or nore than one nerica more t subject of a ited States of prior to this an any country | patented or described in e year prior to this application one year prior to the in inventor's certificate is f America on an application, and that no y foreign to the United States as identified below | any printed pub cation, that the sa is application, an ssued before the ion filed by me of application for particates of America | olication in any came was not in p and I believe that date of this applor or my legal repre- patent or inventor | country before my or oublic use or on sale the invention has not lication in any esentatives or assigns r's certificate on this |
| applicatio | | r inventor's c | y benefits under Title 35 certificate listed below | , United States (| Code, 119 of an | y foreign |
| | Number | Country | | Date | | |
| that of the | | plication on | eign application for pate which priority is claimed Date | | certificate havin | g a filing date before |
| (| of record in the app 1) It establishes, by | lication, and itself or in com | on is material to patentability w abination with other information, a position the applicant takes | n, a <i>prima facie</i> case | | |

⁽i) Opposing an argument of unpatentability relied on by the Office, or

⁽ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

Prior Foreign Application(s)

Number Country Date

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| Full name of sole | or first inven | tor, | | |
|--------------------|-----------------|-----------------------------|----------|---|
| | | Mario Cosmas SPIRA | <u> </u> | |
| Inventor's signatu | ıre | | Date | |
| Residence | | Erlangen, Germany | | |
| Citizenship | | Carmany | | |
| | | Christian E-not Str. 41 | | • |
| | | 91052 Erlangen, GERMANY | | |
| Full name of seco | ond joint inver | ntor. | | |
| | •. | Erich NIEDERMAYR | | |
| | (), | | | |
| Inventor's signatu | re | | Date | |
| Residence | | | | |
| Citizenship | | | | |
| Citizenship | ess | Luitnoldring 20 | | |
| | | 85591 Vaterstetten, Austria | | |
| | | | | |
| Full name of third | | | | |
| | (if any) | Günter MENDEN | | |
| Inventor's signatu | re | | Date | |
| Residence | | Heroldsbach, Germany | | |
| | | German | | |
| Post Office Addre | | Kiefernweg 5 | | |
| | | 91336 Heroldsbach, GERMANY | | |
| | | | | |

| Full name of fourth joint inventor, | | | | |
|-------------------------------------|--|----------|--|--|
| (if any) | Hans KLEMME-WOLFF | | | |
| | | _ | | |
| Inventor's signature | | Date | | |
| Residence | Dietikon, Germany | | | |
| Citizenship | | | | |
| Post Office Address | | | | |
| | 8953 Dietikon, GERMANY | | | |
| | | | | |
| Full name of fifth joint inventor, | | | | |
| (if any) | Bernhard SOMMER | | | |
| \ | | | | |
| Inventor's signature | | Date | | |
| Residence | Wien, Austria | | | |
| Citizenship | A | | | |
| Post Office Address | | | | |
| | 1210 Wien, Austria | | | |
| | | | | |
| | | | | |
| Full name of sixth joint inventor, | | | | |
| (if any) | Perry Michael CAVANAGH | | | |
| | | . | | |
| Inventor's signature | 0.1 411 + 0 + 1- | Date | | |
| Residence | | | | |
| Citizenship | Canada | | | |
| Post Office Address | 16 Templeby Crescent NE | | | |
| _ | Calgary, T1Y5G4 Alberta CANADA | | | |
| | | | | |
| Full name of seventh joint invento | ι τ . | | | |
| (if any) | | | | |
| (12 012)) | | | | |
| Inventor's signature | | | | |
| Residence | | | | |
| Citizenship | Canada | | | |
| Post Office Address | | | | |
| | Calgary, T3B5C1 Alberta CANADA | | | |
| | | | | |
| • | | | | |
| Full name of eighth joint inventor | , | | | |
| (if any) | David Lesley WILLIAMS | | | |
| | | | | |
| Inventor's signature | | _Date | | |
| Residence | Port Coquitlam, British Columbia Canada | | | |
| Citizenship | | | | |
| Post Office Address | 1831 Morgan Avenue | | | |
| | Port Coquitlam, V3C1J8, British Columbia | CANADA | | |

| Full name of ninth joi | nt inventor | | |
|-------------------------|-------------|-------------------------|----------------|
| | ny) | | |
| Inventor's signature | | | Dete |
| Residence | | Swanee, Georgia | Date |
| Citizenship | | TIC | |
| Post Office Address | | 3928 Windgrove Crossing | |
| | <u>-</u> | Swanee, GA 30024 | |
| Full name of tenth join | nt inventor | | |
| (if a | ny) | Giuseppe ZANCOLICH | |
| Inventor's signature | | | Date |
| Residence | | Alpharetta, Georgia | Bate |
| Citicanahin | | A 4 3° | |
| | | 11.005 4 11.4.36 | |
| | | Alpharetta, GA 30005 | |
| Full name of eleventh | ioint inven | | |
| | | Krzysztof GOLY | |
| (| | // | |
| Inventor's signature | | | Date 7/25/200, |
| Residence | | Alpharetta, Georgia | |
| Citizenship | | Australian | |
| Post Office Address_ | | 49038 Gardener Drive | |
| | | Alpharetta GA 30004 | |
| | | | |
| F | | | |
| Full name of twelfth jo | | or, Jürgen STÜBIGER | |
| (| -,,, | outgen brobach | |
| Inventor's signature | | | Date |
| | | Erlangen, Germany | |
| Citizenship | | German | |
| Post Office Address | | Peter-Vischer-Str. 6 | |
| | | 91056 Friangen Germany | |

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| Full name of thirteentl | joint inventor, | |
|-------------------------|--|---------|
| | ny) Jörg TAUTRIM | |
| Inventor's signature | | Date |
| Residence | Beckingen, Germany | |
| Citizenship | German | |
| Post Office Address_ | Vor den Mühlen, 19 | |
| _ | D-66701 Beckingen, | Germany |
| Full name of fourteen | h joint inventor, ny) Michael TAYLOR _ | |
| (II a | Michael TATEOR_ | |
| Inventor's signature | annena | Date |
| Residence | Dorchester, Ontario C | Canada |
| Citizenship | Canada | |
| Post Office Address_ | P.O. 18 Dorchester | |
| | NOT 160 Ontario C | anada |

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DECLARATION AND POWER OF ATTORNEY

Assarbation named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"METHOD OF PROVIDING MAINTENANCE SERVICES"

| Case No | P00,1820 | | , the specification o | f which | |
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| | | | ewed and understand they amendment referred | | above identified specification, |
| | | | | | all information which is known to me 7, Code of Federal Regulations, |
| perfore my our invention the Unit been paten country for more than nvention h my legal re | or our invention on thereof or made the ted or made the reign to the Unitwelve months has been filed in epresentatives of the thereby claim for the two contracts of the two cont | n thereof, or more than one the subject of a steed States of prior to this an any country or assigns, exercign priority | patented or described year prior to this appl han one year prior to to in inventor's certificate. America on an application, and that no foreign to the United cept as identified below | in any printed pub ication, that the sa his application, an issued before the ation filed by me co application for p States of America w: | ed in the United States of America clication in any country before my or time was not in public use or on sale and I believe that the invention has not date of this application in any or my legal representatives or assigns statent or inventor's certificate on this a prior to this application by me or |
| P | rior Foreign Ap | plication(s) | erimeate fisted below | | |
| | umber | Country | eion application for pa | Date tent or inventor's o | certificate having a filing date before |
| hat of the | above listed ap | plication on v | which priority is claim | | •••••••••••••••••••••••••••••••••••••• |
| | rior Foreign Ap umber | Country | Date | | |
| (1 | of record in the app) It establishes, by) It refutes, or is in | lication, and itself or in comb consistent with, | | tion, a <i>prima facie</i> caso ces in: | tive to information already of record or e of unpatentability of a claim; or |

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| Full name of sole | or first inven | tor, | | |
|---------------------------------|-----------------|----------------------------------|------|--|
| | (if any) | Mario Cosmas SPIRA | | |
| Inventaria aignat | 1#A | | Date | |
| Inventor's signati Residence | | Fulance Company | | |
| | | | | |
| Citizenship Post Office Addı | rece | | | |
| Post Office Addi | .css | 91052 Erlangen, GERMANY | | |
| | | • | | |
| | | | | |
| Full name of sec | ond joint inve | ntor, | | |
| | (if any) | Erich NIEDERMAYR | | |
| | | | Date | |
| Inventor's signat | | | | |
| Residence | | | | |
| Citizenship | | Austria | | |
| Post Office Add | ress | | | |
| | | 85591 Vaterstetten, Austria | | |
| | | | | |
| Full name of this | ed ioint invent | or | | |
| run name or um | Ge and | Günter MENDEN | | |
| | (if any) | Guinei MENDEN | | |
| Inventor's signat | ure | | Date | |
| Residence | | Heroldsbach, Germany | | |
| | | 0 | | |
| Post Office Add | | | | |
| LOSI OTHER MU | | 91336 Heroldsbach, GERMANY | | |
| | | 71000 Heloladdaeth, Garaitt M.C. | | |

| Full name of fourth joint inv | | |
|--------------------------------|---|--------------------|
| (if any) | Hans KLEMME-WOLFF | |
| Inventor's signature | | Date |
| Residence | Dietikon, Germany | |
| Citizenship | ~ | |
| Post Office Address | | |
| Fost Office Address | 8953 Dietikon, GERMANY | |
| | | |
| Full name of fifth joint inver | | |
| (if any) | Bernhard SOMMER | |
| Inventor's signature | | |
| Residence | | |
| Citizenship | Austria | |
| Post Office Address | | |
| rost office riddeoss | 1210 Wien, Austria | |
| | | |
| Full name of sixth joint inve | entor, | |
| (if any) | Perry Michael CAVANAGH | |
| Inventor's signature | | _Date |
| Residence | Calgary, Alberta Canada | |
| Citizenship | Canada | |
| Post Office Address | | |
| | Calgary, T1Y5G4 Alberta CANADA | |
| m n e latitudada | | |
| Full name of seventh joint in | Kimberley James PFEIFER | |
| (II ally) | Kimberiey sames I PBK BK | |
| Inventor's signature | | |
| Residence | Calgary, Alberta Canada | |
| Citizenship | Canada | |
| Post Office Address | 317 Point McKay Gardens, NW | |
| | Calgary, T3B5C1 Alberta CANADA | |
| | (h. * | |
| Full name of eighth joint inv | ventor, LESLIE | |
| (if any) | David Lesley WILLIAMS | |
| Inventor's signature | A). With) | _Date JULY 20/2001 |
| Residence | Port Coquitlam, British Columbia Canada | |
| Citizenship | CANADA | |
| Post Office Address | 1831 Morgan Avenue | |
| | Port Cognitlam V3C1 IS British Columbia | CANADA |

* NOTE: NAME CHANGE.

| | • | | |
|--|-----------------------------|------|-------|
| Full name of ninth joint inventor | r | | |
| (if any) | | | |
| T | | | |
| Inventor's signature Residence | Common Commin | Date | |
| Citizenship | Swanee, Georgia US | | |
| Post Office Address | | | |
| Fost Office Address | Swanee, GA 30024 | | - |
| <u></u> | Swallee, GA 30024 | | ., |
| Full name of tenth joint inventor | r. | | |
| (if any) | | | |
| Inventor's signature | | Date | |
| Residence | A11 1 | | |
| Citizenship | Australian | | |
| Post Office Address | 11-205 Amli At Masters Road | | |
| | Alpharetta, GA 30005 | | |
| Dull and a Catalog of the Catalog Const. | | | |
| Full name of eleventh joint inve | ntor, Krzysztof GOLY | | |
| (11 any) | Krzysztot GOL t | | ····· |
| Inventor's signature | | Date | |
| | Alpharetta, Georgia | | |
| | Australian | | · |
| | 49038 Gardener Drive | | |
| | Alpharetta GA 30004 | | |
| | | | |
| Full name of twelfth joint inven | tor, | | |
| (if any) | •• | | |
| Inventor's signature | | Date | |
| Residence | Erlangen, Germany | | |
| Citizenship | | | |
| Post Office Address | | | |
| · · · | 91056 Erlangen, Germany | | |

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| Full name of thirteenth joint i | nventor, | | |
|--|----------------------------|------|---------|
| (if any) | Jörg TAUTRIM | | |
| Inventor's signature | | Date | |
| Residence | Beckingen, Germany | | |
| Citizenship | German | | |
| Post Office Address | Vor den Mühlen, 19 | | <u></u> |
| | D-66701 Beckingen, Germany | | |
| Full name of fourteenth joint (if any) | inventor, Michael TAYLOR | | |
| Inventor's signature | | Date | |
| Residence | Dorchester, Ontario Canada | | |
| Citizenship | Canada | | |
| Post Office Address | P.O. 18 Dorchester | | |
| | NOL 1G0 Ontario, Canada | | |

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| Case No. | P00,1820 | | , the specific | cation of which |
|--|---|---|--|---|
| | check one) | X | is attached hereto. was filed on Ma Application Serial and was amended of applicable) | |
| I including | hereby state the claims as a | hat I have re amended by | eviewed and unders any amendment re | stand the contents of the above identified specification, eferred to above. |
| I to be mate 1.56.1 | acknowledge rial to the pate | the duty to centability of | disclose to the Unit this application in | ited States Patent Office all information which is known to me accordance with Title 37, Code of Federal Regulations, |
| our invent in the Uni been pater country fo more than invention | or our invention thereof or ted States of Anted or made the reign to the Unitwelve monthshas been filed | on thereof, more than commerce more the subject of nited States s prior to the in any coun | or patented or described or patented or described one year prior to this re than one year prior f an inventor's certification of America on an a sis application, and the state of the stat | on was ever known or used in the United States of America cribed in any printed publication in any country before my or is application, that the same was not in public use or on sale is application, and I believe that the invention has not inficate issued before the date of this application in any application filed by me or my legal representatives or assigns that no application for patent or inventor's certificate on this United States of America prior to this application by me or d below: |
| application | i(s) for patent | or inventor' | s certificate listed b | Title 35, United States Code, 119 of any foreign below |
| | rior Foreign A umber | Country | 5) | Date |
| that of the | lso identified l above listed a rior Foreign A umber | pplication o | n which priority is (| for patent or inventor's certificate having a filing date before claimed: |
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| | f record in the ap | plication, and | | ntability when it is not cumulative to information already of record or |

⁽²⁾ It refutes, or is inconsistent with, a position the applicant takes in:

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Schiff Hardin & Waite
Patent Department
6600 Sears Tower, Chicago, Illinois 60606

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor, (if any) Mario Cosmas SPIRA Inventor's signature___ Date____ Residence Erlangen, Germany Citizenship Germany Post Office Address_ Christian-Ernst Str. 41 91052 Erlangen, GERMANY Full name of second joint inventor, (if any) Erich NIEDERMAYR Inventor's signature ____Date Residence Vaterstetten, Austria Citizenship Austria Post Office Address_ Luitpoldring 38 85591 Vaterstetten, Austria Full name of third joint inventor, (if any) Günter MENDEN Inventor's signature Date____ Residence Heroldsbach, Germany Citizenship German Post Office Address_ Kiefernweg 5 91336 Heroldsbach, GERMANY

| Full name of fourth join | t inventor. | | |
|-----------------------------------|---------------|--|---------------------------------------|
| | | IS KLEMME-WOLFF | |
| ` ' | / | | |
| Inventor's signature | | | _Date |
| Residence | Diet | ikon, Germany | |
| Citizenship | Ge <u>r</u> i | man | |
| Post Office Address | Birn | nensdorferstr. 30 | |
| | 895 | B Dietikon, GERMANY | |
| | | - | |
| T 11 | | | |
| Full name of fifth joint i | | | |
| (if any |) Ber | nhard SOMMER | |
| Inventoria siamatura | | | |
| Inventor's signature Residence | 117:- | A | _Date |
| Cities and in | Wie | n, Austria | |
| Citizenship | | stria | |
| Post Office Address | | spergasse 11 | |
| | 1210 | Wien, Austria | |
| | | | |
| Full name of sixth joint | inventor | | |
| (if any | | y Michael CAVANAGH | |
| (II will) |) | y Michael CAYAMAGII | |
| Inventor's signature | | | _Date |
| | | ary, Alberta Canada | |
| | | ada | |
| | | empleby Crescent NE | |
| | | ary, T1Y5G4 Alberta CANADA | |
| | | | |
| | | | |
| Full name of seventh joi | | | |
| (if any |) <u>Kim</u> | berley James PFEIFER | |
| Inventoria sismatura | | | — . |
| Inventor's signature Residence | | Albarta Caralla | _Date |
| Citizenchin | Como | ary, Alberta Canada | |
| Post Office Address | | | · · · · · · · · · · · · · · · · · · · |
| Tost Office Address | 317 J | Point McKay Gardens, NW ary, T3B5C1 Alberta CANADA | |
| <u></u> | Caig | ary, 13B3C1 Alberta CANADA | |
| | | | |
| Full name of eighth joint | inventor | | |
| (if any | | d Lesley WILLIAMS | |
| () | | d Desicy Wilder | |
| Inventor's signature | | | Date |
| Residence | Port | Coquitlam, British Columbia Canada | |
| Citizenship | | | |
| Post Office Address | 1831 | Morgan Avenue | |
| | | Coquitlam, V3C1J8, British Columbia | CANADA |
| | | | · · · · · · · · · · · · · · · · · · |

| Full name of ninth joint inven | itor, | | |
|---|---|----------|--|
| (if any) | Michael WILCOX | | |
| Inventor's signature | | Date | |
| Residence | Swanee, Georgia | | |
| Citizenship | _ US | | |
| Post Office Address | 3928 Windgrove Crossing | | |
| | | | |
| Full name of tenth joint inven | tor. | | |
| (if any) | | | |
| Inventor's signature | | Date | |
| Residence | Alpharetta, Georgia | | |
| Citizenship | Australian | | |
| Post Office Address | 11-205 Amli At Masters Road | | |
| 1 OSI OTTICE MUUTESS | | | |
| ost Office Address | Alpharetta, GA 30005 | | |
| | Alpharetta, GA 30005 | | |
| Full name of eleventh joint in | Alpharetta, GA 30005 | | |
| Full name of eleventh joint in (if any) | Alpharetta, GA 30005 ventor, Krzysztof GOLY | | |
| Full name of eleventh joint in (if any) | Alpharetta, GA 30005 ventor, Krzysztof GOLY | Date | |
| Full name of eleventh joint in (if any) Inventor's signature Residence | Alpharetta, GA 30005 ventor, Krzysztof GOLY Alpharetta, Georgia | Date | |
| Full name of eleventh joint inv (if any) Inventor's signature Residence Citizenship | Alpharetta, GA 30005 ventor, Krzysztof GOLY Alpharetta, Georgia Australian | Date | |
| Full name of eleventh joint inv (if any) Inventor's signature Residence Citizenship Post Office Address | Alpharetta, GA 30005 ventor, Krzysztof GOLY Alpharetta, Georgia | Date | |
| Full name of eleventh joint inv (if any) Inventor's signature Residence Citizenship Post Office Address | Alpharetta, GA 30005 ventor, Krzysztof GOLY Alpharetta, Georgia Australian 49038 Gardener Drive | Date | |
| Full name of eleventh joint in (if any) Inventor's signature Residence Citizenship Post Office Address Full name of twelfth joint inve | Alpharetta, GA 30005 ventor, Krzysztof GOLY Alpharetta, Georgia Australian 49038 Gardener Drive Alpharetta GA 30004 | Date | |
| Full name of eleventh joint in (if any) Inventor's signature Residence Citizenship Post Office Address Full name of twelfth joint inve | Alpharetta, GA 30005 ventor, Krzysztof GOLY Alpharetta, Georgia Australian 49038 Gardener Drive Alpharetta GA 30004 | Date | |
| Full name of eleventh joint in (if any) Inventor's signature Residence Citizenship Post Office Address Full name of twelfth joint inve (if any) | Alpharetta, GA 30005 ventor, Krzysztof GOLY Alpharetta, Georgia Australian 49038 Gardener Drive Alpharetta GA 30004 entor, Jürgen STÜBIGER | Date | |
| Full name of eleventh joint in (if any) Inventor's signature Residence Citizenship Post Office Address Full name of twelfth joint inve (if any) Inventor's signature Residence | Alpharetta, GA 30005 ventor, Krzysztof GOLY Alpharetta, Georgia Australian 49038 Gardener Drive Alpharetta GA 30004 entor, Jürgen STÜBIGER Erlangen, Germany | Date | |
| Full name of eleventh joint in (if any) Inventor's signature Residence Citizenship Post Office Address Full name of twelfth joint inve (if any) Inventor's signature Residence Citizenship | Alpharetta, GA 30005 ventor, Krzysztof GOLY Alpharetta, Georgia Australian 49038 Gardener Drive Alpharetta GA 30004 entor, Jürgen STÜBIGER Erlangen, Germany German | DateDate | |
| Full name of eleventh joint in (if any) Inventor's signature Residence Citizenship Post Office Address Full name of twelfth joint inve (if any) Inventor's signature Residence Citizenship | Alpharetta, GA 30005 ventor, Krzysztof GOLY Alpharetta, Georgia Australian 49038 Gardener Drive Alpharetta GA 30004 entor, Jürgen STÜBIGER Erlangen, Germany German | DateDate | |

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| Full name of thirteenth join | |
|---------------------------------------|----------------------------|
| (if any) | Jörg TAUTRIM |
| | |
| Inventor's signature | Date |
| Residence | Beckingen, Germany |
| Citizenship | German |
| Post Office Address | Vor den Mühlen, 19 |
| | D-66701 Beckingen, Germany |
| Full name of fourteenth joi (if any)_ | Michael TAYLOR |
| Inventor's signature | The Rank 1 Date Aug 01/01 |
| Residence | Dorchester, Ontario Canada |
| Citizenship | Canada |
| Post Office Address | P.O. 18 Dorchester |
| | NOL 1G0 Ontario, Canada |
| | C NOL 100 Olitario, Canada |





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Mario C. SPIRA et al.

GROUP ART UNIT: 2167

SERIAL NO.:

09/810,351

EXAMINER:

FILING DATE:

March 16, 2001

INVENTION:

METHOD OF PROVIDING MAINTENANCE SERVICES

AFFIDAVIT

- 1. My name is Melvin A. Robinson and I am an attorney of record in the above-identified application. I state that the following information is from my own first hand knowledge of the facts.
- 2. I have personally attempted to obtain the signature of the inventor Perry Cavanaugh on the Declaration and Power of Attorney form for the present application. In particular, I have mailed the specification, claims, abstract, drawings, assignment form and declaration and power of attorney form to Mr. Cavanaugh for signature at his last known address in a letter dated July 17, 2001. A copy of my letter is attached showing Mr. Cavanaugh's last known address. These papers were not returned.
- 3. I have contacted by telephone Mr. Kimberley James Pfeifer, an inventor in this application and a co-worker of Mr. Cavanaugh's at the Siemens facility in Calgary, Canada. I was told by Mr. Pfeifer that Mr. Cavanaugh left the employ of Siemens and that he had great animosity toward the company. I was also told that I should not expect to get Mr. Cavanaugh to sign and return any paper on behalf of the Siemens company as he most likely threw the papers away.
- 4. I located Mr. Cavanaugh's current employer in Calgary, Canada and left a telephone message for Mr. Cavanaugh to call me back and asked that he sign and return the papers. He did not return my call.
- 5. I sent Mr. Cavanaugh another set of application papers for signature with a letter of October 12, 2001. A copy of my letter is attached. These papers have not been returned.

6. In light of the foregoing, I have concluded that Mr. Cavanaugh has refused to sign the present application.

Respectfully submitted,

Melvin A. Robinson (Reg. No. 31,870)

Schiff Hardin & Waite Patent Department 6600 Sears Tower Chicago, Illinois 60606

Telephone: 312-258-5785

ATTORNEY FOR APPLICANT

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

1.

on November 30, 2001.